

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2419 - SB 2389

January 30, 2012

SUMMARY OF BILL: Requires that all grand jury proceedings, except where an investigative grand jury is deliberating or voting, be recorded by tape, wire, stenograph, or by any other device in a manner to protect the recording from edit or alteration. Defines "recording" as a tangible medium on which sounds, images, or both are recorded, transcribed or otherwise stored. Prohibits duplication or destruction of a recording except by order of court. Requires the recordings and any duplicates be confidential and not open to inspection by the public. Requires the recordings be held under seal in custody of the presiding judge of the criminal court if by order of court or in the custody or control of the district attorney general. Allows a court to unseal and reseal the recording upon good cause shown.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Grand jury proceedings, except for the deliberations and votes of an investigative grand jury, are currently being recorded by stenograph, as is required by current law.
- The stenograph recordings are currently being stored by the offices of the district attorneys general, as is required by current law.
- Requiring a court order prior to the duplication, destruction, unsealing or resealing of a recording can be accomplished within existing resources and without an increased appropriation.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/jdh

HB 2419 - SB 2389